

REMARKS/ARGUMENTS

Claims 1-14 are pending in the present application. In the Office Action mailed May 3, 2005, the Examiner rejected claims 1-14 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,295,293 to Tönnby et al. (hereinafter "Tönnby").

In the present paper, claims 1 and 8 have been amended to recite that "the gateway comprises device information about the embedded device." Support for this limitation is found throughout Applicants' specification, including page 9, lines 10-15. In light of these amendments and the following remarks, reconsideration and allowance of the present claims is respectfully requested.

I. Claims 1-14 Rejected Under 35 U.S.C. § 102(e)

As noted above, claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by Tönnby. This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (citing Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." Id. (citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." In re Paulsen, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicants respectfully submit that the claims at issue are patentably distinct from Tönnby. As a result of this paper, claims 1-14 recite that "the gateway comprises device information about the embedded device." Such a limitation is not disclosed by Tönnby. The Office Action indicates that "block 24" in Tönnby constitutes the claimed "gateway." *See* Office Action, p. 3. As explained by Tönnby's specification, "block 24" is actually "IP access node 24" which:

...comprises an IP access server 32, the IP router 8 and the telephony server 9. The access line interface 27 belongs to the IP access server.

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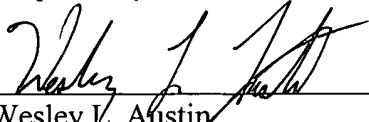
The IP access server comprises a set of individual xDSL modems. The IP access server has also a telephony server interface 33. Over this interface IP packages containing telephony information are routed to and from the telephony server. Units 32, 9, 8 and 28 communicate with each other using IP packets belonging to an access network internal address space.

Tönnby, Col. 5, lines 11-18; *see also* Tönnby, Col. 4, line 66. However, to the extent that this “IP access node 24” may be interpreted as the claimed “gateway,” Applicants can find, however, no disclosure in Tönnby which indicates that the “IP access node 24” comprises “device information about the embedded devices,” as is required by claims 1-14. Thus, because Tönnby fails to disclose the limitation regarding the “device information about the embedded devices,” Tönnby cannot, as a matter of law, anticipate claims 1-14 under 35 U.S.C. §102(e). Withdrawal of this rejection is respectfully requested.

II. Conclusion

In light of the foregoing, Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,



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